

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:12-CV-298-F

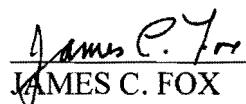
THE UNITED STATES OF AMERICA, )  
for the use of BAKER ROOFING )  
COMPANY, )  
Plaintiff, )  
vs. )  
) **ORDER**  
TRAVELERS CASUALTY AND SURETY)  
COMPANY OF AMERICA; FIDELITY )  
AND DEPOSIT COMPANY OF )  
MARYLAND; ZURICH AMERICAN )  
INSURANCE COMPANY; CADDELL )  
CONSTRUCTION CO., INC.; )  
W.G. YATES & SONS )  
CONSTRUCTION COMPANY; and )  
CADDELL YATES JOINT VENTURE, )  
Defendants. )

This matter is before the court on the Parties' Joint Motion for Stay of the Proceedings [DE-12]. The parties indicate in the motion that prior to the commencement of this action, Baker Roofing had engaged in negotiations with Caddell Construction Company, Inc., W.G. Yates & Sons Construction Company, and Caddell Yates Joint Venture (collectively, "CYJV"). The parties also indicate that Baker and CYJV have reached an agreement providing for the continuation of their negotiations, and in the event the claims could not be resolved by negotiation, for binding arbitration of Baker Roofing's claims. The motion indicates that the remaining parties to this action also agree to binding arbitration of all of Baker Roofing's claims in this action, if they are not first resolved by the negotiations between CYJV and Baker Roofing.

For the reasons stated therein, the parties' Joint Motion for Stay of the Proceedings [DE-12] is ALLOWED, and this action is STAYED pending negotiations between Baker Roofing and

CYJV, and if negotiations are not successful, binding arbitration if necessary. The parties are DIRECTED to submit a status report regarding their negotiations and/or arbitration proceedings no later than 90 days from the filing date of this order, and every 90 days thereafter, until such negotiations and/or arbitration proceedings are concluded.

SO ORDERED. This the 1 day of November, 2012.

  
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JAMES C. FOX  
Senior United States District Judge